

1 3993 Howard Hughes Parkway, Suite 600  
 Las Vegas, NV 89169-5996  
 2 Facsimile (702) 949-8321  
 Telephone (702) 949-8320

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3 Susan M. Freeman AZ State Bar No. 004199  
 Email: sfreeman@lrlaw.com  
 Rob Charles NV State Bar No. 006593  
 Email: rcharles@lrlaw.com  
 4 John C. Hinderaker AZ State Bar No. 18024  
 Email:jhinderaker@lrlaw.com

5 Attorneys for USACM Liquidating Trust

6 **UNITED STATES BANKRUPTCY COURT**  
 7 **DISTRICT OF NEVADA**

8 In re:  
 9 USA Commercial Mortgage Company,  
 10 USA Capital Realty Advisors, LLC,  
 11 USA Capital Diversified Trust Deed Fund,  
 LLC,  
 12 USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
 13 USA Securities, LLC,<sup>2</sup> Debtors.

Case No. BK-S-06-10725-LBR  
 Case No. BK-S-06-10726-LBR  
 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR<sup>1</sup>  
 Case No. BK-S-06-10729-LBR<sup>2</sup>

CHAPTER 11

Jointly Administered Under Case No.  
 BK-S-06-10725 LBR

**STATUS AND AGENDA FOR MAY  
 8, 2008 HEARINGS**

Date of Hearings: May 8, 2008  
 Time of Hearings: 9:30 a.m.  
 10:30 a.m.

Affects:

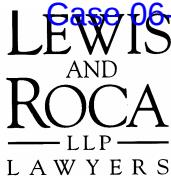
- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Agenda for 9:30 a.m.

21 1. Adv. 07-01165-lbr, USA Capital Diversified Trust Deed Fund LLC v.  
 22 Margaret B. McGimsey Trust et al., **Pre-Trial Conference** [DE 19]

23 **Related Filing** Joint Trial Statement (including stipulated facts) [DE 20]  
 4/3/08

25 <sup>1</sup> This bankruptcy case was closed on October 12, 2007.  
 26 <sup>2</sup> This bankruptcy case was closed on December 26, 2007.



1        12/17/2007        Order Re: Pre-Trial Matters; Trial; and Settlement Conference  
 2                          [DE 19]

3        **Status:**        Continued from 4/17/2008. The Court will conduct a hearing in  
 4                          preparation for the May 8<sup>th</sup> trial on Diversified's complaint for  
 5                          subordination of the various McGimsey claims

6        **2. Objection to Claim 1279 of Lerin Hills Ltd in the amount of with  
 7 Certificate of Service filed by ROB CHARLES on behalf of USACM LIQUIDATING  
 8 TRUST [DE 3080]**

9        **Opposition Filed:**        None

10      **Related Filing:**        Declaration Of: Edward M. Burr *in Support of USACM  
 11 LIQUIDATING Trust Objections to Proofs of Claim and Motions to  
 12 Classify Claims* Filed by ROB CHARLES on behalf of USACM  
 13 LIQUIDATING TRUST [DE 3082].

14      **Stipulation Filed:**        Stipulation By USACM LIQUIDATING TRUST and LERIN  
 15 HILLS LTD *Continuing Hearing On Objection* Filed by ROB  
 16 CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
 17 3392]

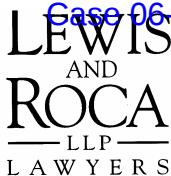
18      **Related Filing:**        Order Approving Stipulation to Continue the Hearing on  
 19 Objection to Claim 1279 of LERIN HILLS LTD. [DE 3393]

20      **Reply Filed:**        *Reply to Objection of the USACM Liquidating Trust to Proof of  
 21 Claim File by Lerin Hills LTD (Claim No. 203 & 1279)* Filed by  
 22 MARJORIE A. GUYMON on behalf of MOUNTAIN WEST  
 23 MORTGAGE, LLC [DE 3904]

24      **Stipulation Filed:**        Second Stipulation By USACM LIQUIDATING TRUST and  
 25 Lerin Hills Ltd. *Continuing Hearing on Objection* Filed by ROB  
 26 CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
 27 3947]

28      **Related Filing:**        Order Approving Second Stipulation to Continue the Hearing on  
 29 Objection to Claim 1279 of LERIN HILLS LTD. [DE 3955]

30      **Stipulation Filed:**        Stipulated Motion to Continue/Reschedule Hearing *on Second  
 31 Omnibus Objection to Claims Asserting Priority Status re Claim  
 32 1279 of Lerin Hills* Filed by ROB CHARLES on behalf of  
 33 USACM LIQUIDATING TRUST [DE 4050]



1           6/26/2007       Stipulation Setting Hearing on Second Omnibus Objection to  
 2                           Claims Asserting Priority Status Re Claim 1279 of LERIN HILLS  
                          [DE 4060]

3           **Stipulation Filed:**       Stipulation By USACM LIQUIDATING TRUST and Lerin Hills  
 4                           Ltd. *to Continue Hearing on Objection* Filed by ROB CHARLES  
                          on behalf of USACM LIQUIDATING TRUST [DE 4959]

5           **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
 6                           Objections to Claim 1279 of LERIN HILLS LTD. [DE 4968]

7           **Stipulation Filed:**       Stipulation By USACM LIQUIDATING TRUST and Lerin Hills  
 8                           *to Continue Hearing on Objection* Filed by ROB CHARLES on  
                          behalf of USACM LIQUIDATING TRUST [DE 5444]

9           **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
 10                           Objections to Claim 1279 of LERIN HILLS LTD. [DE 5454]

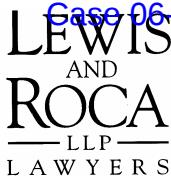
11           **Stipulation Filed:**       Stipulation By USACM LIQUIDATING TRUST and Between  
 12                           Lerin Hills Ltd. *to Continue February 21, 2008 Hearing on*  
                          *Objection to Claim 1279* Filed by ROB CHARLES on behalf of  
                          USACM LIQUIDATING TRUST [DE 5851]

13           **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
 14                           Objections to Claim 1279 of LERIN HILLS LTD in the Amount  
                          of \$1257233.40 as an Unsecured Non-Priority Claim, and as a  
                          Priority Claim of \$797175.62 [DE 5870]

15           **Status**               Continued from 2/21/2008. Counsel will be present to discuss the  
 16                           status of this matter. Please note that counsel is traveling from  
                          Tucson on the first available flight and the omnibus hearing was  
                          postponed to 10:30 a.m. to accommodate the flight schedule.

19  
 20           **3. Second Omnibus Objection to Claims Asserting Priority Status**  
 21           (*pertaining to Lerin Hills and Rieger*) filed by ROB CHARLES on behalf of USACM  
                          LIQUIDATING TRUST [DE 3259]

22           **Stipulation Filed:**       Stipulated Motion to Continue/Reschedule Hearing *on Second*  
 23                           *Omnibus Objection to Claims Asserting Priority Status re Claim*  
                          *1279 of Lerin Hills* Filed by ROB CHARLES on behalf of  
                          USACM LIQUIDATING TRUST [DE 4050]



1           6/26/2007       Stipulation Setting Hearing on Second Omnibus Objection to  
2                           Claims Asserting Priority Status Re Claim 1279 of LERIN HILLS  
3                           (Related document(s) [4050]) Hearing scheduled 10/15/2007 at  
                          09:30 AM at LBR-Courtroom 1, Foley Federal Bldg.. [DE 4060]

4           **Related Event:**       Order Sustaining Second Omnibus Objection of the USACM  
5                           LIQUIDATING TRUST to Claims Asserting Priority Status [DE  
                          4087]

6           **Related Event:**       Order Scheduling Hearing on 12/20/2007 at 10:30 AM at LBR-  
7                           Courtroom 1, Foley Federal Bldg [DE 5337]

8           **Stipulation Filed:**    Stipulation By USACM LIQUIDATING TRUST and Between  
9                           Lerin Hills *to Continue Hearing on Objection to Claim 1279* Filed  
                         by ROB CHARLES on behalf of USACM LIQUIDATING  
                         TRUST [DE 5444]

10          **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
11                           Objections to Claim 1279 of LERIN HILLS LTD. in the Amount  
12                           of \$1,257,233.30 as an Unsecured Non-Priority Claim, and as a  
                         Priority Claim of \$797,175.62 [DE 5454]

13          **Stipulation Filed:**    Stipulation By USACM LIQUIDATING TRUST and Between  
14                           Lerin Hills Ltd. *to Continue February 21, 2008 Hearing on*  
15                           *Objection to Claim 1279* Filed by ROB CHARLES on behalf of  
                         USACM LIQUIDATING TRUST [DE 5851]

16          **Related Event:**       Order Approving Stipulation to Continue the Hearing on  
17                           Objections to Claim 1279 of LERIN HILLS LTD in the Amount  
18                           of \$1257233.40 as an Unsecured Non-Priority Claim, and as a  
                         Priority Claim of \$797175.62 DE 5870]

19          **Status:**             Hearing continued from 4/26/2007; 6/15/2007; 10/15/2007;  
20                           12/14/2007; 12/20/2007; and 2/21/2008. Counsel for the USACM  
21                           Trust has been in contact with Ms. Patsy Rieger who will be  
22                           unable to attend due to earth quake damage to her home. The  
23                           Trust is working with the Riegers to explain the accounting in  
24                           order to try to resolve the priority claim. The Lerin Hills claim  
                         should be addressed as part of agenda item No. 2 above. Please  
                         note that counsel for USACM Trust is traveling from Tucson on  
                         the first available flight and the omnibus hearing was postponed to  
                         10:30 a.m. to accommodate the flight schedule.



1           **4. Objection to Claim 792 of Copper Sage Commercial Center LLC in the**  
2           **amount of \$3,500,000.00 with Certificate of Service filed by ROB CHARLES on behalf**  
3           **of USACM LIQUIDATING TRUST [DE 3077]**

4           **Related Filing:** Declaration Of: Edward M. Burr *in Support of USACM*  
5           3/13/2007 *Liquidating Trust Objections to Proofs of Claim and Motions to*  
6           *Classify Claims Filed by ROB CHARLES on behalf of USACM*  
7           *LIQUIDATING TRUST [DE 3082].*

8           **Opposition Filed:** Opposition with Certificate of Service Filed by SUSAN  
9           4/19/2007 WILLIAMS SCANN on behalf of COPPER SAGE COMMERCIAL  
10          CENTER [DE 3502]

11          **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Copper  
12          4/24/2007 Sage Commercial Center LLC *to Continue Hearing on Objection*  
13          Filed by ROB CHARLES on behalf of USACM LIQUIDATING  
14          TRUST [DE 3537]

15          **Related Filing:** Order Approving Stipulation to Continue the Hearing on  
16          4/24/2007 Objection to Claim 792 of COPPER SAGE COMMERCIAL  
17          CENTER LLC [DE 3543]

18          **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Copper  
19          12/10/2007 Sage Commercial Center LLC *to Continue Hearing on Objection*  
20          Filed by ROB CHARLES on behalf of USACM LIQUIDATING  
21          TRUST [DE 5460]

22          **Related Filing:** Order Approving Stipulation to Continue the Hearing on  
23          12/11/2007 Objection to Claim 792 of COPPER SAGE COMMERCIAL  
24          CENTER LLC [DE 5473]

25          **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between  
26          2/14/2008 Copper Sage Commercial Center LLC *Continuing Hearing on*  
27          *Objection to Claim No. 792 Filed by ROB CHARLES on behalf*  
28          *of USACM LIQUIDATING TRUST [DE 5849]*

29          **Related Filing:** Order Approving Stipulation to Continue the Hearing on  
30          2/19/2008 Objection to Claim 792 of COPPER SAGE COMMERCIAL  
31          CENTER LLC (Related document(s)[5849] Stipulation, filed by  
32          Interested Party USACM LIQUIDATING TRUST.) [DE 5872]



1      **Status**

2      Continued from 2/21/2008. Counsel for the Trust will be present  
 3      to address the status of the matter and counsel for Copper Sage is  
 4      expected to be present as well. Please note that counsel is  
 5      traveling from Tucson on the first available flight and the omnibus  
 6      hearing was postponed to 10:30 a.m. to accommodate the flight  
 7      schedule.

6      **5. Status Hearing Re: Eighth Omnibus Objection (*Pertaining to Claim filed*  
 7      *by John Dutkin*) filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST  
 8      [DE 3147]**

9      **Response Filed:**  
 10     4/19/2007

8      Response with Certificate of Service Filed by GEORGE D  
 9      FRAME on behalf of JOHN DUTKIN [DE 3512]

10     **Related Event:**  
 11     6/29/2007

10     Order Sustaining Eighth Omnibus Objection of the USACM  
 11     LIQUIDATING TRUST to Claims Asserting Secured Status [DE  
 12     4079]

13     **Related Filings:**  
 14     7/30/2007

13     Motion for Summary Judgment Regarding (1) Responses To The  
 14     USACM Trust's First Through Thirty-Third Omnibus Objections  
 15     To Claims Asserting A Secured Status; (2) Responses to USACM  
 16     Trust's First Through Third Omnibus Objections to Claims  
 17     Asserting A Priority Status; and (3); Newly Alleged Secured And  
 18     Priority Claims Filed by ROB CHARLES on behalf of USACM  
 19     LIQUIDATING TRUST [DE 4291]

20     **Response Filed:**  
 21     8/17/07

20     Response with Certificate of Service & *Objection of USA  
 21     COMMERCIAL MORTGAGE COMPANY to Claim of DUTKIN  
 22     TRUST Asserting Secured Status* Filed by GEORGE D FRAME  
 23     on behalf of JOHN DUTKIN [DE 4628]

24     **Related Event:**  
 25     1/22/2008

24     Order Requiring Supplemental Briefing on the USACM TRUST's  
 25     Eighth Omnibus Objection to Claims Asserting a Secured Status  
 26     as it Pertains to the Claim Filed by JOHN DUTKIN [DE 5711]

27     1/31/2008

27     Supplemental Brief Filed by GEORGE D FRAME on behalf of  
 28     JOHN DUTKIN [DE 5768]

29     2/01/2008

29     Deadline Set/Terminated Motion for Exceptional Circumstances  
 30     due by 2/11/2008 [DE 5770]

31     2/8/2008

31     Supplemental Brief in *Support of Eighth Omnibus Objection to  
 32     Claims Asserting a Secured Status as that Objection Pertains to  
 33     the Dutkin Claim* Filed by ROB CHARLES on behalf of USACM  
 34     LIQUIDATING TRUST [DE 5804]



**Status:** Hearing continued from 4/26/2007; 6/15/2007; 12/14/2007; 12/20/2007; 2/21/2008; and 4/17/2008. The USACM Trust expects that once the Dutkin Trust's claims in the interpleader are resolved the Dutkin Trust will stipulate that the Court may grant summary judgment to USACM Trust. If not, the USACM Trust is prepared to argue the Objection along with the Motion for Summary Judgment. Please note that counsel is traveling from Tucson on the first available flight and the omnibus hearing was postponed to 10:30 a.m. to accommodate the flight schedule.

**6. Objection to Claim 203 of Mountain West Mortgage Co./Lerin Hills in the amount of \$2,048,000.00 with Certificate of Service filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3078]**

**Related Filing:** Declaration Of: Edward M. Burr *in Support of USACM Liquidating Trust Objections to Proofs of Claim and Motions to Classify Claims* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3082].  
3/13/2007

**Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Mountain West Mortgage Co./Lerin Hills *Continuing Hearing on Objection* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3485]  
4/18/2007

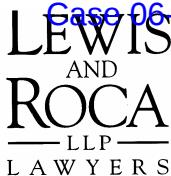
**Related Filing:** Order Approving Stipulation to Continue the Hearing on  
4/23/2007 Objection to Claim 203 of MOUNTAIN WEST MORTGAGE  
CO./LERIN HILL [DE 3519]

**Reply Filed:** *Reply to Objection of the USACM Liquidating Trust to Proof of Claim File by Lerin Hills LTD (Claim No. 203 & 1279) Filed by MARJORIE A. GUYMON on behalf of MOUNTAIN WEST MORTGAGE, LLC [DE 3904]*  
6/06/2007

**Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Mountain West Mortgage Co./Lerin Hills *Continuing Hearing on Objection* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4962]  
10/11/2007

**Related Event:** Order Approving Stipulation to Continue the Hearing on  
10/11/2007 Objection to Claim 203 of MOUNTAIN WEST MORTGAGE  
CO./LERIN HILLS [DE 4965]

**Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Mountain  
12/07/2007 West Morgage Co./Lerin Hills *Continuing Hearing on Objection*



1 Filed by ROB CHARLES on behalf of USACM LIQUIDATING  
2 TRUST [DE 5448]

3 **Related Event:** Order Approving Stipulation to Continue the Hearing on  
4 12/11/2007 Objection to Claim 203 of MOUNTAIN WEST MORTGAGE  
CO./LERIN HILLS [DE 5467]

5 **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and Between  
6 2/14/2008 Mountain West Mortgage Co./Lerin Hills Filed by ROB  
CHARLES on behalf of USACM LIQUIDATING TRUST [DE  
7 5848]

8 **Related Event:** Order Approving Stipulation to Continue the Hearing on  
9 2/19/2008 Objection to Claim 203 of MOUNTAIN WEST MORTGAGE  
CO/LERIN HILLS [DE 5874]

10 **Status** Continued from 2/21/2008. Counsel for the USACM Trust will  
11 be present to discuss the status of the matter and expects that  
12 counsel for Mountain West Mortgage will also be present. Please  
note that counsel is traveling from Tucson on the first available  
13 flight and the omnibus hearing was postponed to 10:30 a.m. to  
accommodate the flight schedule.

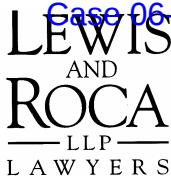
14 **Agenda for 10:30 a.m.**

15 1. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in***  
16 ***Goss Road Loan with Certificate of Service*** filed by ROB CHARLES on behalf of  
17 USACM LIQUIDATING TRUST [DE 6094]

18 **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
19 4/02/2008 *Objections to Proofs of Claim Based Upon Investment in Goss*  
20 *Road Loan with Certificate of Service* Filed by ROB CHARLES  
on behalf of USACM LIQUIDATING TRUST [DE 6098]

21 **Status** No Response Filed

22 2. ***Second Omnibus Objection to Proofs of Claim Based Upon Investment in***  
23 ***Goss Road Loan with Certificate of Service*** filed by ROB CHARLES on behalf of  
24 USACM LIQUIDATING TRUST [DE 6096]



1      **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 2      4/02/2008 *Objections to Proofs of Claim Based Upon Investment in Goss*  
 3      *Road Loan with Certificate of Service Filed by ROB CHARLES*  
 on behalf of USACM LIQUIDATING TRUST [DE 6098]

4      **Status**                  No Response Filed

5  
 6      **3.**      *First Omnibus Objection to Proofs of Claim Based Upon Investment in*  
*Elizabeth May Real Estate Loan with Certificate of Service* filed by ROB CHARLES on  
 7      behalf of USACM LIQUIDATING TRUST [DE 6099]

8      **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 9      4/02/2008 *Objections to Proofs of Claim Based Upon Investment in*  
 10     *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
 by ROB CHARLES on behalf of USACM LIQUIDATING  
 11     TRUST [DE 6113]

12     **Status**                  No Response Filed

13     **4.**      *Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,*  
*Upon Investment in Elizabeth May Real Estate Loan with Certificate of Service* filed  
 14     by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6101]

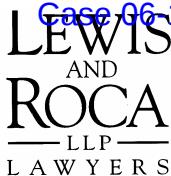
15     **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 16     4/02/2008 *Objections to Proofs of Claim Based Upon Investment in*  
 17     *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
 by ROB CHARLES on behalf of USACM LIQUIDATING  
 18     TRUST [DE 6113]

19     **Status**                  No Response Filed

20     **5.**      *Third Omnibus Objection to Proofs of Claim Based Upon Investment in*  
*Elizabeth May Real Estate Loan with Certificate of Service* filed by ROB CHARLES on  
 21     behalf of USACM LIQUIDATING TRUST [DE 6103]

22     **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 23     4/02/2008 *Objections to Proofs of Claim Based Upon Investment in*  
 24     *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
 by ROB CHARLES on behalf of USACM LIQUIDATING  
 25     TRUST [DE 6113]

26     **Status**                  No Response Filed



1       **6. Fourth Omnibus Objection to Proofs of Claim Based, in Whole or in Part,**  
2       **Upon Investment in Elizabeth May Real Estate Loan with Certificate of Service filed**  
3       **by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6105]**

4       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
5       *Objections to Proofs of Claim Based Upon Investment in*  
6       *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
7       *by ROB CHARLES on behalf of USACM LIQUIDATING*  
8       *TRUST [DE 6113]*

9       **Status** No Response Filed

10       **7. Fifth Omnibus Objection to Proofs of Claim Based, in Whole or in Part,**  
11       **Upon Investment in Elizabeth May Real Estate Loan with Certificate of Service filed**  
12       **by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6107]**

13       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
14       *Objections to Proofs of Claim Based Upon Investment in*  
15       *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
16       *by ROB CHARLES on behalf of USACM LIQUIDATING*  
17       *TRUST [DE 6113]*

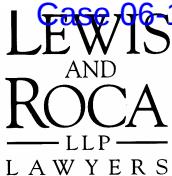
18       **Status** No Response Filed

19       **8. Sixth Omnibus Objection to Proofs of Claim Based, in Whole or in Part,**  
20       **Upon Investment in Elizabeth May Real Estate Loan with Certificate of Service filed**  
21       **by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6109]**

22       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
23       *Objections to Proofs of Claim Based Upon Investment in*  
24       *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
25       *by ROB CHARLES on behalf of USACM LIQUIDATING*  
26       *TRUST [DE 6113]*

27       **Status** No Response Filed

28       **9. Seventh Omnibus Objection to Proofs of Claim Based, in Whole or in Part,**  
29       **Upon Investment in Elizabeth May Real Estate Loan with Certificate of Service filed**  
30       **by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6111]**



1      **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 2      4/02/2008 *Objections to Proofs of Claim Based Upon Investment in*  
 3      *Elizabeth May Real Estate Loan with Certificate of Service Filed*  
 4      *by ROB CHARLES on behalf of USACM LIQUIDATING*  
 5      *TRUST [DE 6113]*

6      **Status** No Response Filed  
 7

8      10. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in***  
 9      ***Slade Development, Inc. Loan with Certificate of Service*** filed by ROB CHARLES on  
 10     behalf of USACM LIQUIDATING TRUST [DE 6116]

11     **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 12     4/04/2008 *Objections to Proofs of Claim Based Upon Investment in Slade*  
 13     *Development, Inc. Loan Filed by ROB CHARLES on behalf of*  
 14     *USACM LIQUIDATING TRUST [DE 6120]*

15     **Status** No Response Filed  
 16

17     11. ***Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
 18     ***Upon Investment in Slade Development, Inc. Loan with Certificate of Service*** filed by  
 19     ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6118]

20     **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 21     4/04/2008 *Objections to Proofs of Claim Based Upon Investment in Slade*  
 22     *Development, Inc. Loan Filed by ROB CHARLES on behalf of*  
 23     *USACM LIQUIDATING TRUST [DE 6120]*

24     **Status** No Response Filed  
 25

26     12. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in***  
 27     ***Wasco Investments, LLC Loan with Certificate of Service*** filed by ROB CHARLES on  
 28     behalf of USACM LIQUIDATING TRUST [DE 6121]

29     **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
 30     4/04/2008 *Objections to Proofs of Claim Based Upon Investment in Wasco*  
 31     *Investments, LLC Loan Filed by ROB CHARLES on behalf of*  
 32     *USACM LIQUIDATING TRUST [DE 6127]*

33     **Status** No Response Filed  
 34



1           13. ***Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
2       ***Upon Investment in Wasco Investments, LLC Loan with Certificate of Service*** filed by  
2       ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6123]

3       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
4       4/04/2008           *Objections to Proofs of Claim Based Upon Investment in Wasco*  
5           *Investments, LLC Loan Filed by ROB CHARLES on behalf of*  
5           *USACM LIQUIDATING TRUST [DE 6127]*

6       **Status**           No Response Filed

7           14. ***Third Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
8       ***Upon Investment in Wasco Investments, LLC Loan with Certificate of Service*** filed by  
9       ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6125]

10       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
11       4/04/2008           *Objections to Proofs of Claim Based Upon Investment in Wasco*  
12           *Investments, LLC Loan Filed by ROB CHARLES on behalf of*  
12           *USACM LIQUIDATING TRUST [DE 6127]*

13       **Status**           No Response Filed

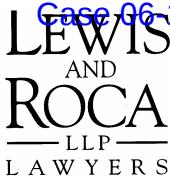
14           15. ***First Omnibus Objection to Proofs of Claim Based Upon Investment in I-***  
15       ***40 Gateway West, LLC 2nd Loan with Certificate of Service*** filed by ROB CHARLES  
16       on behalf of USACM LIQUIDATING TRUST [DE 6128]

17       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
18       4/04/2008           *Objections to Proofs of Claim Based Upon Investment in I-40*  
19           *Gateway West, LLC 2nd Loan Filed by ROB CHARLES on*  
19           *behalf of USACM LIQUIDATING TRUST [DE 6132]*

20       **Status**           No Response Filed

21           16. ***Second Omnibus Objection to Proofs of Claim Based, in Whole or in Part,***  
22       ***Upon Investment in I-40 Gateway West, LLC 2nd Loan with Certificate of Service***  
22       filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 6130]

23       **Related Event:** Declaration Of: Edward M. Burr *in Support of Omnibus*  
24       4/04/2008           *Objections to Proofs of Claim Based Upon Investment in I-40*  
25           *Gateway West, LLC 2nd Loan Filed by ROB CHARLES on*  
25           *behalf of USACM LIQUIDATING TRUST [DE 6132]*



1      4/30/2008      Notice of Errata to Second Omnibus Objection to Proofs of Claim  
 2      Based Upon Investment in the I-40 Gateway West LLC 2nd Loan  
 3      with Certificate of Service Filed by ROB CHARLES on behalf of  
 USACM LIQUIDATING TRUST [DE 6279]

4      Status      No Response Filed

5  
 6      17.      Adversary 06-01212-lbr Binford Medical Developers, LLC et al. v Fidelity  
 National Title Group et al., Status Conference re: **Amended Complaint** Filed by SUSAN  
 WILLIAMS SCANN on behalf of BINFORD MEDICAL DEVELOPERS, LLC against  
 COMPASS FINANCIAL PARTNERS LLC [DE 80]

8      **Answer Filed:**      Answer to Amended Complaint [DE 89]  
 9      10/05/2007

10     **Counterclaim Filed:**      Counterclaim by COMPASS FINANCIAL PARTNERS LLC  
 11     10/05/2007      against BINFORD MEDICAL DEVELOPERS, LLC [DE 91]

12     **4/11/2008**      Stipulation and Order Dismissing FIDELITY NATIONAL TITLE  
 COMPANY with Prejudice [DE 123]

13     **Status:**      Continued from 4/17/2008

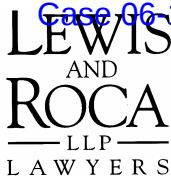
14  
 15     18.      **Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS in the**  
 amount of filed by LENARD E. SCHWARTZER on behalf of USA COMMERCIAL  
 MORTGAGE COMPANY [DE 2033]

17     **Opposition Filed:**      Opposition with Certificate of Service Filed by SUSAN  
 18     12/29/2006      WILLIAMS SCANN on behalf of BINFORD MEDICAL  
 DEVELOPERS, LLC [DE 2329]

19     **Reply Filed**      Reply In Support of Objection to Claim 784 of BINFORD  
 20     1/08/2007      MEDICAL DEVELOPERS Filed by LENARD E.  
 SCHWARTZER on behalf of USA COMMERCIAL  
 MORTGAGE COMPANY [DE 2378]

22     **Stipulation Filed:**      Stipulation By USACM LIQUIDATING TRUST and Between  
 23     10/11/2007      Binford Medical Developers Continuing Hearing on Objection to  
 Claim 784 of Binford Medical Developers Filed by ROB  
 CHARLES on behalf of USACM LIQUIDATING TRUST  
 [DE 4977]

25     **Related Filing:**      Order Approving Stipulation to Continue the Hearing on  
 26     10/12/2007      Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS  
 LLC [DE 4988]



1      **Stipulation Filed:**      Stipulation By USACM LIQUIDATING TRUST and Between  
 2      12/11/2007      Binford Medical Developers *Continuing Hearing on Objection to*  
 3      *Claim 784 Filed by ROB CHARLES on behalf of USACM*  
 4      *LIQUIDATING TRUST [DE 5464, 5474]*

5      **Related Filing:**      Order Approving Stipulation to Continue the Hearing on  
 6      12/12/2007      Objection to Claim 784 of BINFORD MEDICAL  
 7      DEVELOPERS, LLC [DE 5479]

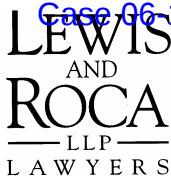
8      **1/22/2008**      Order Tentatively Approving Settlement and Compromise of  
 9      Claim [DE 114]

10     **Status:**      Hearing continued from 1/17/2008; 3/15/2007; 4/26/2007;  
 11     6/15/2007; 10/25/2007; 12/14/2007; 1/11/2008; 2/04/2008 and  
 12     4/17/2008. The parties stipulated to allow the Binford claim in  
       the amount of \$925,000 by stipulation and order filed in Adv.  
       Case No. 06-1212 (LBR) [DE 114 and 121]. The Court approved  
       that stipulation. The relevant order from the adversary proceeding  
       was also entered in this bankruptcy matter. [DE 5925.] Counsel  
       for the Trust will be present to discuss the status of this matter.

13  
 14     19.   **Adv. 06-01251-lbr USACM Liquidating Trust v. Reale et al, Application**  
 15     ***Motion to Supplement Findings of Fact and Conclusions of Law Pursuant to Federal***  
 16     ***Rule of Civil Procedure 52(b)*** Filed by ERIC D MADDEN on behalf of USACM  
 17     LIQUIDATING TRUST [DE 145]

18     **Related Filings:**      Motion for Order Shortening Time Filed by ERIC D. MADDEN  
 19     4/03/2008      on behalf of USACM LIQUIDATING TRUST [DE 146]  
 20     4/08/08      Order Shortening Time to Hear USACM LIQUIDATING  
 21     TRUST'S Motion to Supplement Findings of Fact and  
 22     Conclusions of Law Pursuant to Federal Rule of Civil Procedure  
 23     52(b) [DE 148]  
 24     4/23/08      Amended Motion to Supplement findings of Fact and Conclusions  
 25     of Law Pursuant to Federal Rule of Civil Procedure 52(b) [DE  
 26     152]  
 Status      Continued from 4/17/2008. No opposition filed

27  
 28     20.   Adversary 06-01146-lbr USA Commercial Mortgage Company v. Wells  
 29     Fargo Bank, NA, et al, **STATUS HEARING RE: Amended Complaint FOR**  
 30     **INTERPLEADER with Certificate of Service** Filed by DAVID W. HUSTON on behalf  
       of USA COMMERCIAL MORTGAGE COMPANY against all defendants [DE 54]



1      **Answer Filed:**  
 2      11/30/2006

Answer to Amended Complaint by *Tomlin Trust* (Related Doc # [54](#)), Crossclaim by Tomlin Trust, Donald S and Dorothy Tomlin Trustees against JOHN ROBERT MALLIN, MARIE THERESA MALLIN, GEORGE J. MOTTO Filed by GEORGE C LAZAR on behalf of Tomlin Trust, Donald S and Dorothy Tomlin Trustees [DE 75]

5      12/04/2006

Answer to Amended Complaint *with certificate of service* (Related Doc # [54](#)) Filed by C RANDALL BUPP ESQ on behalf of PORTER A HURT [DE 79]

7      3/20/08

Order Setting Status Conference Regarding Outstanding Issues in InterpleaderAction

9      **Status:**

Hearing continued from 12/15/2006; 2/15/2007; 3/15/2007; 3/27/2007; 5/31/2007; 7/27/2007; 12/14/2007; 2/21/2008 and 4/17/2008.

Counsel for the Trust will be present to provide the Court with a complete up date on the progress being made towards resolving the claims associated with the interpleader.

14     21. **Motion for Summary Judgment Regarding (1) Responses To The USACM Trust's First Through Thirty-Third Omnibus Objections To Claims Asserting A Secured Status; (2) Responses to USACM Trust's First Through Third Omnibus Objections to Claims Asserting A Priority Status; and (3); Newly Alleged Secured And Priority Claims** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4291]

18     **Related Filings:**

The only unresolved claims are those filed by the Dutkin Trust

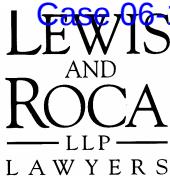
19     **Response Filed:**

20     8/17/07

Response with Certificate of Service & *Objection of USA COMMERCIAL MORTGAGE COMPANY to Claim of DUTKIN TRUST Asserting Secured Status* Filed by GEORGE D FRAME on behalf of JOHN DUTKIN [DE 4628]

22     9/14/2007

Supplemental *Statement of Facts in Support of Motion for Summary Judgment Regarding (1) Responses to the USACM Trust's First through Thirty-Third Omnibus Objections to Claims Asserting a Secured Status; (2) Responses to USACM Trust's First through Third Omnibus Objections to Claims Asserting a Priority Status; and (3) Newly Alleged Secured and Priority Claims* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4811]

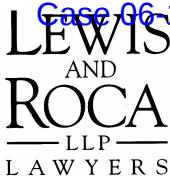


1      **Stipulation Filed:** Stipulation By USACM LIQUIDATING TRUST and John  
 2      12/05/2007 Dutkin, Trustee *to Continue Hearing* Filed by ROB CHARLES  
 3      **Related Event:** Order Approving Stipulation to Continue the Hearing on Motion  
 4      12/10/2007 for Summary Judgment Re DUTKIN's Claim [DE 5451]  
 5      **Related Event:** Order Requiring Supplemental Briefing on the USACM TRUST's  
 6      1/22/2008 Eighth Omnibus Objection to Claims Asserting a Secured Status  
 7      1/31/2008 as it Pertains to the Claim Filed by JOHN DUTKIN [DE 5711]  
 8      2/01/2008 Supplemental Brief Filed by GEORGE D FRAME on behalf of  
 9      JOHN DUTKIN [DE 5768]  
 10     2/08/2008 Deadline Set/Terminated Motion for Exceptional Circumstances  
 11     due by 2/11/2008 [DE 5770]  
 12     **Status:** Supplemental Brief *in Support of Eighth Omnibus Objection to*  
 13     *Claims Asserting a Secured Status as that Objection Pertains to*  
 14     *the Dutkin Claim* Filed by ROB CHARLES on behalf of USACM  
 15     LIQUIDATING TRUST [DE 5804]  
 16     **Status:** Continued from 4/17/2008. The only unresolved claims are those  
 17     filed by the Dutkin Trust. The USACM Trust expects that when  
 18     the Dutkin Trust's claims in the interpleader are resolved the  
 19     Dutkin Trust will stipulate that the Court may grant summary  
 20     judgment to USACM Trust. If not, the USACM Trust is prepared  
 21     to argue the Motion for Summary Judgment.

22.    Adv. 06-01167-lbr, USA Commercial Mortgage Company v. Robert J. Kehl,  
 23    et al., **Motion for Summary Judgment And For Order Of Directing Release Of**  
 24    **Funds,** Filed by GEORGE D FRAME on behalf of JOHN DUTKIN [DE 330]

25     **Stipulation Filed:** Stipulation and Order for Settlement as Between JOHN DUTKIN,  
 26     2/04/2008 TRUSTEE OF THE JOHN DUTKIN REVOCABLE LIVING  
 27     TRUST DATED 1/17/00 and FIRST TRUST COMPANY OF  
 28     ONAGA, CUSTODIAN OF KAREN S. MOBERLY IRA [DE  
 29     333]

30     **Limited**  
 31     **Opposition Filed:** Limited Opposition with Certificate of Service *to JOHN*  
 32     2/07/2008 *DUTKIN's Motion For Summary Judgment and For Order*  
 33     *Directing Release of Funds* Filed by LENARD E.  
 34     SCHWARTZER on behalf of USA CAPITAL FIRST TRUST  
 35     DEED, USA COMMERCIAL MORTGAGE COMPANY [ DE  
 36     337]



1      **Status:**                    Hearing continued from 3/25/2008 and 4/17/2008.  
 2

3      23.    **Motion to Quash Subpoenas and or for Protective Order; Objection to**  
 4      **Notices of 2004 Examination with Certificate of Mailing** Filed by SUSAN WILLIAMS  
 SCANN on behalf of ROBERT A. RUSSELL [DE 6176]

5      **Status**                    No Response Filed  
 6

7      24.    **Motion to Extend Time Motion to Further Extend Deadline to File**  
 8      **Objection to Allowance of Claims with Certificate of Service** Filed by ROB CHARLES  
 on behalf of USACM LIQUIDATING TRUST [DE 6209]

9      **Related Event:**           Declaration Of: Edward M. Burr *in Support of Motion to Further*  
 10     4/14/2008                  *Extend Deadline to File Objection to Allowance of Claims Filed*  
 by ROB CHARLES on behalf of USACM LIQUIDATING  
 TRUST [De 6210]

12     **Status**                    No Response Filed. The Motion to Extend and Notice of Hearing  
 13     were posted on the Website.

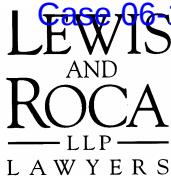
14      25.    **Motion for Summary Judgment to Classify Claim by Pecos Professional**  
 15      **Park Limited Partnership in Plan Class A-7 With Certificate Of Service** Filed by ROB  
 CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5122]

17      **Related Filing:**           *Statement of Facts in Support of Motion for Summary Judgment to*  
 18     10/29/2007                *Classify Claim by Pecos Professional Park Limited Partnership in*  
*Plan Class A-7 With Certificate Of Service Filed by ROB*  
*CHARLES on behalf of USACM LIQUIDATING TRUST [DE*  
*5123]*

20      **Opposition Filed:**       Opposition Filed by TY E. KEHOE on behalf of LUCIUS  
 21     12/04/2007                BLANCHARD [DE 5432]

22      **Reply Filed:**           Reply with Certificate of Service *in Support of Motion for*  
 23     12/17/2007                *Summary Judgment to Classify Claim by Pecos Professional Park*  
*Limited Partnership in Plan Class A-7 Filed by ROB CHARLES*  
*on behalf of USACM LIQUIDATING TRUST [DE 5493]*

24      **Related Filing:**        Order Postponing Hearing on Motion for Summary Judgment to  
 25     1/16/2008                Classify Claim by PECOS PROFESSIONAL PARK LIMITED  
 PARTNERSHIP in Plan Class A-7 [DE 5677]



1      **Stipulation filed:**      Stipulation By LUCIUS BLANCHARD and Between Hantges  
 2      3/11/2008      Bankruptcy Estate Trustee Filed by TY E. KEHOE on behalf of  
 3      LUCIUS BLANCHARD [DE 5969]  
 4      4/25/2008      Stipulation By USACM LIQUIDATING TRUST and Between  
 5      Pecos Professional Park Limited Partnership *in Plan Class A-7*  
 6      *Continuing Status Hearing on USACM Trust's Motion for*  
 7      *Summary Judgment to Classify Claim* Filed by ROB CHARLES  
 8      on behalf of USACM LIQUIDATING TRUST [DE 6240]  
 9      **Related Filing:**      Order Continuing Status Hearing on USACM TRUST's Motion  
 10     4/25/2008      for Summary Judgment to Classify Claim by PECOS  
 11     PROFESSIONAL PARK LIMITED PARTNERSHIP IN PLAN  
 12     CLASS A-7 [DE 6252]  
 13     **Status:**      This matter is fully briefed and ready for oral argument.  
 14  
 15  
 16

LEWIS AND ROCA LLP

14     By: /s/ RC (#6593)  
 15     Susan M. Freeman, AZ 4199 (*pro hac vice*)  
 16     Rob Charles, NV 6593  
 17     John Hinderaker, AZ 18024 (*pro hac vice*)  
 18     *Counsel for USACM Liquidating Trust*

PROOF OF SERVICE

COPY of the aforementioned sent via e-mail or U.S. First Class Mail on May 6, 2008 to the parties listed on Post-Effective Official Service List for Limited Notice No. 4 Dated January 8, 2008.

/s/ Christine E Laurel  
 Christine E Laurel  
 Lewis and Roca LLP